

COMPREHENSIVE PLAN AMENDMENT and CONCURRENT REZONE

Application 2007-M-05 AND - Sunset Blvd (QIP/Virtu) Rezone STAFF RECOMMENDATION (August 8, 2007)

DESCRIPTION: Applicants are requesting the rezone of 9.61 acres of property to Residential Medium Density (RMD) land use designation with Residential-10 units per net acre (R-10) zoning. Currently the land use and zoning of the property is split, with approximately 0.9 acres in Residential Multi Family (RMF) land use with Residential Multi-Family (RM-F) zoning and 8.71 acres of property in the Employment Area-Industrial (EA-I) land use designation with Industrial-Heavy (I-H) zoning.

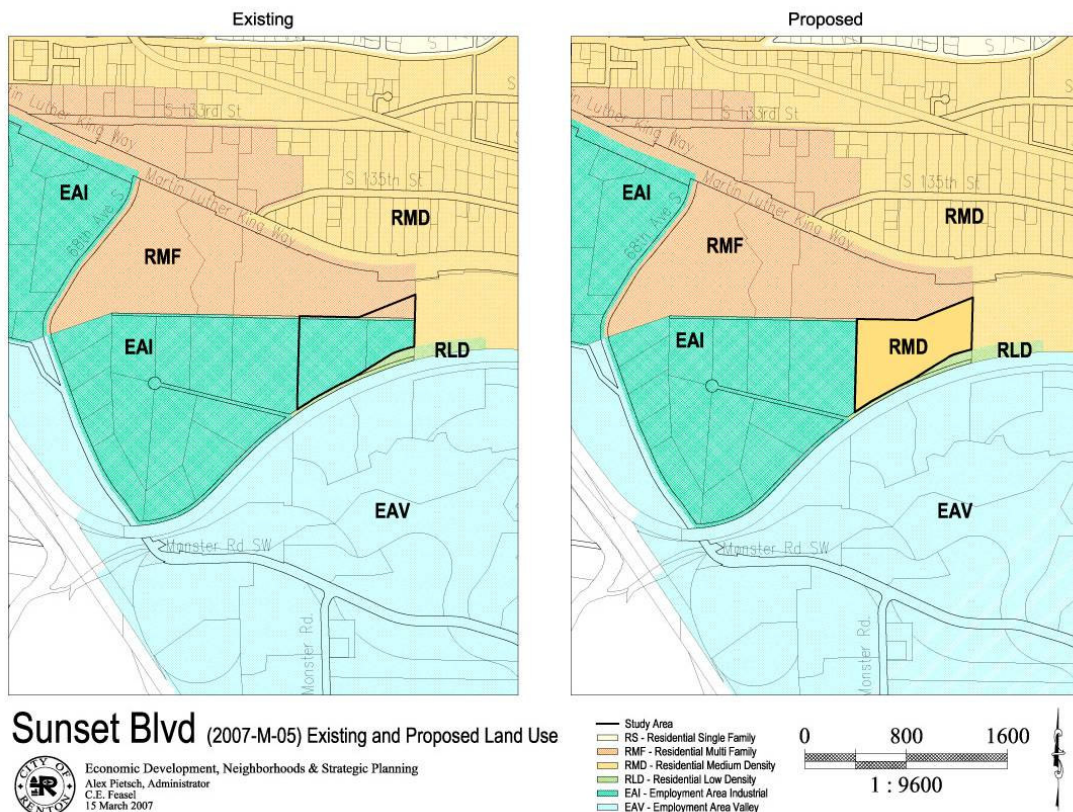
ISSUE SUMMARY:

1. Which residential land use designation and zoning should be assigned to this property?

RECOMMENDATION SUMMARY:

This property should be rezoned for RMD land use with R-10 zoning.

ANALYSIS: The proposed area for rezone is located near the western edge of the City, in the



vicinity of Martin Luther King Way, immediately south of the unimproved right-of-way of South 137th Street and immediately north of the unimproved right-of-way of South 140th

Street and the BNSF rail road line. QIP (Quarry Industrial Park, LLC) owns the bulk of the property; 8.71 acres designated for EA-I land use and zoned I-H. A small, triangular shaped portion of this property has been excluded from the application for rezone. That portion is designated for Residential Low Density (RLD) land use and is zoned Resource Conservation (RC). Virtu (V.E.E. Associates, LLC) owns the 0.9 acre triangle, in the south east corner of the Sunset View Apartment Homes property. It is currently designated for RMF land use and zoned RM-F.

Previous staff reports dated March 21, 2007, May 11, 2007, June 8, 2007, and June 29, 2007 provide a thorough and detailed analysis of the various land use issues considered in this recommendation. To summarize, staff found that rezoning of this property from industrial land use to another land use would not significantly impact the City's supply of available industrial land, or land available for future employment. Due primarily to location, commercial development is infeasible at this time. Residential land use policies do not support zoning at very low densities, such as Resource Conservation or R-1 zoning, nor do they support higher densities, such as R-14 or multi-family zoning. Residential densities in the range of four to ten units per acre are supported by current land use policy.

Land use policies supporting R-4 zoning, R-8 zoning, or R-10 zoning could be applied to this site. RLD policies supporting estate-style development and R-4 zoning, such as Objective LU-EE, are more difficult to apply immediately behind existing multi-family development and so close to the urban center. RS policies for quality, detached residential development could also be applied, but the accompanying R-8 development standards are very different from the R-10 zoning designation. This site is intended to be an extension, or second phase, of the Sunset Bluff development, which was developed under R-10 zoning and development standards. It makes sense to develop both phases under the same standards to ensure a consistent appearance and high-quality development. The proposal meets RMD Policy LU-158, which requires that three of six criteria be met to consider R-10 zoning. This site meets four of the criteria: the area already has multi-family units with the Sunset View apartments to the north, development patterns conducive to medium-density development were established by the Sunset Bluff plat to the east, the lot is vacant and has potential for medium-density infill, and the site can be adequately buffered from the adjacent industrial use to the west. RMD land use designation with R-10 zoning is recommended on the basis of applicable land use policies.

During the public hearing there was testimony about walkability and access to transit for this site. Currently, this site does not meet the criteria in Policy LU-158 which calls for proximity to an arterial and access to transit. Sunset Boulevard contains several lanes of fast moving traffic and there are no crosswalks for pedestrians to cross to the north side of the street for transit access. The City of Renton has contacted the Washington State Department of Transportation, who has jurisdiction over this roadway as state route 900, and asked for pedestrian improvements to be made. Unless WSDOT makes improvements, or authorizes improvements to be made, there will not be pedestrian improvements to this corridor, and no project would have adequate transit access, under any zoning. As stated above, however, this site does adequately meet at least three of the applicable criteria for R-10 zoning under Policy LU-158.

Critical areas and wildlife should also be considered in this rezone. Sensitive areas have been mapped over the entire site of the proposed rezone, including steep slopes on the edges of the site and an “unclassified” landslide hazard area shown in the City’s sensitive areas maps. South of the site and the BNSF rail line is the City of Renton parkland, known as the Black River Riparian Forest and Wetland. Bald Eagles and Great Blue Heron, as well as a wide variety of animal species live in this area. All sources agree, however, that prior to any changes in surrounding land use, it is important to gauge the amount of human disturbance that could be created. WDFW specifically identifies noise as a key factor. Height and lighting have been identified by Herons Forever as other possible disturbances.

Environmental review of this rezone under the State Environmental Policy Act (SEPA) has already been conducted. On July 9, 2007, the Renton Environmental Review Committee (ERC) issued a determination of non-significance (DNS) for the proposal to allow residential land use with zoning up to ten units per acre. Washington Department of Fish and Wildlife (WDFW) recommendations to reduce or eliminate potential sources of impact to the Black River Forest wildlife were attached to the ERC report. These measures cover a wide variety of topics for future project specific development including: site planning measures, protection from temporary construction disturbances, and enhanced landscaping improvements. Environmental review of the rezoning proposal, then, is completed.

There was a lot of testimony about protecting the Riparian Forest, and the Heron in particular. Information on the adjacent wildlife and potential impacts of development on them, particularly the Heron colony, was collected from a number of sources including: the WDFW, Herons Forever (a group that monitors the Heron at the Black River Forest), and Raedeke Associates (professional wildlife biologist and consultant to the proponent of this project). As in many scientific fields, there is great debate about the underlying causes of growth and decline of the Great Blue Heron population, both regionally and in the local colony. Some combination of global climate change, regional loss of habitat for all types of wildlife, pollution, eagle predation, insensitive development, and natural fluctuation have affected Heron populations locally, regionally, and worldwide. Both the Raedeke *Great Blue Heron Assessment* and the Sternberg comment (Sternberg is a professional wildlife biologist and consultant to Herons Forever) support residential land use for this property.

In regards to potential impacts on wildlife, Raedeke provides many different reasons why the proposed 55-60 units would have no impact on the adjacent wildlife, including the fact that at the nearest point the proposed development is more than 800 feet away from the colony, and is separated by a very steep slope about 50 feet in length. Sternberg states that there should be no more than 50 homes on this property and no attached units, without clear specification of why these particular limits should be in place. Many of the other recommended site development controls appear to be based on the habits and preferences of the Heron, for example timing major construction around breeding times, or general respect for wildlife, such as leaving buffers and avoiding glare. There is no clear justification for the 50 unit standard. Nevertheless, the 50 unit standard is firmly within the RMD land use range which is estimated at 59 units, and could range as low as 22 units under the development regulations of that zone.

CAPACITY ANALYSIS:

Removing this property from industrial land use and zoning results in a loss of capacity of approximately 6% of the stock of vacant and redevelopable industrial lands in the City of Renton. This equates to a loss of approximately 127 future jobs. Placing this property into RMD land use and R-10 zoning could result in approximately 59 new housing units.

COMPREHENSIVE PLAN COMPLIANCE:

RMC 4-9-020 G mandates that Comprehensive Plan Amendments must meet at least one of four criteria. This proposal meets the first criterion, to support the vision embodied in the Comprehensive Plan. One of the major goals of the City as stated in the Comprehensive Plan Vision Element is to increase the supply of single-family housing through infill development. Residential development of this property would meet this goal. It also meets residential policies LU-123, LU-124, LU-125 which support high-quality single-family infill development near the urban center and Objective LU-GG and LU-II (and related policies) for Residential Medium Density land use, which direct the application of RMD land use designation for infill projects.

ZONING CONCURRENCY:

RMC 4-9-180 F mandates that all rezones concurrent with Comprehensive Plan Amendments comply with the Comprehensive Plan, meet the policies of the proposed Land Use designation, and either was not considered during the last area wide zoning, or has been subjected to a change in circumstances since that time. This proposal complies with the Vision of the Comprehensive Plan and meets the proposed land use policies of the RMD designation, as demonstrated above. Finally, the zoning of this property was not considered in the last area wide zoning.

CONCLUSION: Single family residential development appears to be the best use of this property. Multi-family residential use would not meet the policies in the Comprehensive Plan. Commercial use is not viable at this time. Industrial use is equally unlikely to be viable for anything but very heavy industrial uses. Heavy industrial uses are not likely to be compatible with the adjacent wildlife and habitat in the Black River Riparian Forest. Residential uses are more compatible with the adjacent wildlife and the WDFW has provided an extensive list of mitigation measure to reduce project specific impacts. R-10 rezone of this property seems to be the obvious choice after examining applicable land use policies and evaluating the best available science on the Heron colony.